IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.2873 OF 2005

Mrs.Shelly Sanesh Dhall ...Petitioner
Vs.
The State of Maharashtra & Ors. ...Respondents

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Mr. Ram B. Upadhyaya for Petitioner
Mrs. A.S. Pai, A.P.P. for the State

CORAM: B.H.MARLAPALLE & ROSHAN DALVI, JJ.
DATED: 31ST JANUARY, 2006

P.C.

1. Heard Mr. Upadhyaya learned Counsel for the Petitioner. The main prayer in this Petition as filed under the Constitution reads as under :

> a. " The Hon'ble Court may be pleased to issue writ of mandamus and/or certiorari to the police to discharge their statutory duty cast on them by law by arresting the accused and complete the investigation of the Offence expeditiously."

2. Mrs. Pai, learned A.P.P. has placed before us the written instructions she has received from the Kurar Police Station, Mumbai along with the report submitted to the Additional Chief Metropolitan Magistrate, 24th Court, Borivali by way of D-Summary and the next date fixed before the said Court is 2nd

February 2006. She also states that a separate notice had been issued to the complainant i.e. the present petitioner to appear before the Court below on 25th January 2006. The said matter is adjourned to 2nd February 2006, and it appears that the Petitioner will be heard by the learned Additional Chief Metropolitan Magistrate before passing any orders on the D-Summary report submitted by the Investigating Officer concerned.

3. Hence, there is no case to entertain this Petition as of now. Petition is rejected.

(ROSHAN DALVI,J.) (B.H.MARLAPALLE, J.)